VALLEY BRANCH WATERSHED DISTRICT
Minutes of Regular Meeting No. 934
Held in the City of Lake Elmo City Hall
Thursday, February 26, 2015

MANAGERS PRESENT: Lincoln Fetcher, Vice President; Dale Borash, Treasurer; and Ed Marchan, Manager

MANAGER ABSENT: Dave Bucheck, President; and Jill Lucas, Secretary

STAFF PRESENT: John Hanson, Engineer, Barr Engineering; Ray Marshall and Susannah Torseth, Attorneys, Lawson Marshall McDonald and Galowitz; Ray Roemmich, Inspector; and Melissa Imse, Recording Secretary

STAFF ABSENT: None

OTHERS PRESENT: Justin Bloyer, City of Lake Elmo resident and Council Member; Alicia Lebens, Stillwater Gazette; and Roger Johnson

CALL TO ORDER
Vice President Fetcher called the meeting to order at 7:02 p.m.

ANNOUNCEMENTS
None

APPROVAL OF MINUTES
After discussion, motion was made by Fetcher and seconded by Marchan to approve the February 12, 2015 meeting minutes. Motion carried unanimously.

ADDITIONAL AGENDA ITEMS
Under Engineer’s Report: Item#6 Request for Workshop

PUBLIC FORUM
Justin Bloyer was present to express concern about the managers’ decision not to video record the VBWD meetings. He requested that the attached copy of email correspondence between Mayor Pearson of Lake Elmo and President Bucheck be placed in public record. He also questioned the Board and staff whether doctoring photos was discussed at the February 12, 2015 meeting.

CITIZEN ADVISORY COMMITTEE
Roger Johnson gave a brief update on his discussion with the Department of Minnesota Natural Resources regarding aquatic invasive plant management.

SECRETARY’S REPORT
Engineer Hanson distributed the mail.

INSPECTOR’S REPORT
Inspector Roemmich reported on the following projects: Whistling Valley, Hunters Crossing, and Koch pipeline project.

ATTORNEY’S REPORT
No report.

TREASURER’S REPORT
No report.

WASHINGTON CONSERVATION DISTRICT
Tara Kline with the Washington Conservation District presented the 2014 year end BMP cost share program summary and suggestions for the 2015 BMP cost share program.
ENGINEER’S REPORT
Permit Request: Easton Village, Lake Elmo After discussion, a motion was made by Borash and seconded by Fetcher to approve permit 2015-05 with the amended site suggested condition #6 for the Easton Village in Lake Elmo. Motion carried unanimously.

2015-2025 VBWD Watershed Management Plan The managers reviewed the draft transmittal letter to accompany the draft Plan and the Plan distribution list. After discussion, a motion was made by Borash and seconded by Marchan to approve the Plan transmittal letter and the Plan distribution list with revisions. Motion carried unanimously.

Wildflower Shores Wetland Bank This item will be discussed at the next VBWD meeting with the full Board.

System Maintenance: Removal of Downed Trees in Raleigh Creek After discussion a motion was made by Fetcher and seconded by Borash to approve payment of $1,425.00 to Buelow Excavating for the removal of the downed trees in Raleigh Creek. Motion carried unanimously.

Clean Water Fund Valley Creek Ravine Stabilization Projects VBWD received Clean Water Fund grants for the Valley Creek Stabilization projects. To construct the projects, easements are needed. After discussion, a motion was made by Borash and seconded by Marchan to accept the proposal from Henning Professional Services, Inc. for $26,650.00 to obtain appraisals for the easements. Motion carried unanimously.

Request for Workshop Meg Rattei with Barr Engineering has been asked to present managing aquatic invasive plants at a lunch and learn at the Washington Conservation District. The managers authorized Meg to give the presentation.

MANAGERS’ REPORT
DNR North & East Metro Area Groundwater Management Meetings Vice President Fetcher attended the meeting and provided an update to the managers.

Groundwater Education Workshops No discussion.

Governor’s Buffer Initiative The managers reviewed the Governor’s Buffer Initiative and provided comments that will be forwarded onto send to Ray Bohn with the Minnesota Association of Watershed Districts.

Surface Water Diversions to Sunfish Lake and Goetschel Pond No discussion.

Next Meetings - March 12, 2015 and March 26, 2015 President Bucheck will be absent at the March 26th meeting. All other managers plan to attend the meetings.

OLD BUSINESS None.

NEW BUSINESS None.

FUTURE ITEMS None.

ADJOURNMENT Motion was made by Borash and seconded by Fetcher at 8:50 p.m. to adjourn the meeting. Motion carried unanimously.
Respectfully Submitted,

/s/ Ed Marchan

Ed Marchan, Acting-Secretary
Subject: Taping VBWD Meetings

Mike, at our Board meeting last night, we considered your request that the VBWD videotape our meetings. None of the Board members were comfortable with the idea of taping and we did not approve having it done. Why?

In general, we did not appreciate the idea of a developer or anyone else seeking your intervention for a problem they might have with one of our actions. Our meetings are open and we always welcome anyone to come and see us if they have problems or questions.

Regards.............Dave Bucheck, President, VBWD Board of Managers
Mike Pearson  
Mayor  
City of Lake Elmo  

"Notice: E-mail correspondence to and from the city of Lake Elmo may be public data subject to the Minnesota Data Practices Act and/or may be disclosed to third parties"

From: Mike Pearson  
Sent: Friday, January 23, 2015 10:49 AM  
To: David Buecheck  
Cc: Dean Zuleger  
Subject: RE: Taping VBWD Meetings

Dave,  
thanks for your consideration and your very candid reply.

Please know that in the interests of a more open government, the videotaping of our committees and other entities (such as the library board) has been a consistent theme over the last two years. Please don't feel your being asked to do anything the city isn't honoring ourselves.

As I am unable to replay a tape and see the specifics of your discussion, a couple questions,

1) What reasons were offered for being made "uncomfortable" with what seems to me to be a very simple suggestion, IE memorializing the meeting on a cd?  
While I was there, it was concluded that A) there is no cost, B) almost no training is
required and as I am not requesting for it to be broadcast on cable access (public speaking?), why would the board be made uncomfortable?

2) you state you "don't appreciate the idea of a developer or anyone else seeking my intervention"? "Anyone else?" Dave, I'll provide a perspective in the hopes that you'd re consider, or at least understand how your reply sounds;
Would you advise me to have that attitude in response to a resident seeking my "intervention" for their concern of a city staff member? Or a county action? A city policy?
Would you appreciate it if I said the same to a staff member, in the event a resident offered a concern of my actions, to that staff member?

A "developer" and as you write, "anyone else" (I assume your talking about lake shore owners?) can be, and often are, tax paying property owners in Lake Elmo.
Its my obligation to respond to their concerns. I was simply asking for your help in doing so. Frankly, I would think you'd want to show your good work.
As an example, the mil foil discussion, I'd like to go to the tape and see if, how and why? you plan to issue public tax dollars on that concern.

I'll await your reply, thank you.

Mike Pearson
Mayor
City of Lake Elmo

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From: David Bucchek [djbuchec@yahoo.com]
Sent: Friday, January 23, 2015 9:22 AM
To: Mike Pearson
Cc: Dean Zuleger
he sent his final response to my yahoo account

On Tuesday, January 27, 2015 2:46 PM, David Buchek <djbuchek@yahoo.com> wrote:

You are right that as far as your staff is concerned, you may intervene as much as you wish. As far as the VBWD is concerned, we would prefer that any person with an issue attend our meeting to get their questions answered directly. Of course you are also welcome to accompany them.

Regards..........................Dave

hope you had fun